

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF VENTURA  
VENTURA**

**MINUTE ORDER**

DATE: 12/11/2013

TIME: 09:30:00 AM

DEPT: 21

Judicial Officer Presiding: Tari Cody  
CLERK: Leticia Cisneros  
REPORTER/ERM: Lisa Lemus

CASE NO: **56-2011-00408712-CU-CO-VTA**

CASE TITLE: **North Kern Water Storage District vs City of Bakersfield**

CASE CATEGORY: Civil - Unlimited      CASE TYPE: Contract - Other

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**EVENT TYPE:** Court Trial (LC)

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**APPEARANCES**

SCOTT K KUNEY, counsel, present for Plaintiff(s)  
DOUGLAS GOSLING, counsel, present for Plaintiff(s)  
COLIN PEARCE, counsel, present for Defendant(s)  
JOLIE-ANNE S. ANSLEY, counsel, present for Defendant(s)

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13th Day of Trial

At 9:43 a.m., Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Arthur Chianello, previously sworn, resumes the stand for further direct examination by Colin Pearce on behalf of defendant.

Plaintiff states that he will have a standing evidentiary objection as set forth on the record. Plaintiff's objection is overruled by the Court.

Defense exhibit nos. 1121, 1116, 1117, and 1124 are marked for identification.

At 10:18 a.m., cross examination of Arthur Chianello commences by Scott Kuney on behalf of plaintiff.

Plaintiff's counsel, Scott Kuney proceeds to read portions of the deposition transcript of Arthur Chianello taken 11/8/12

At 11:00 a.m., Court is in recess.

At 11:20 a.m., Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

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Arthur Chianello, previously sworn, resumes the stand for further cross examination by Scott Kuney on behalf of plaintiff.

At 11:57 a.m., Court is in recess.

At 1:35 p.m., Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Arthur Chianello, previously sworn, resumes the stand for further cross examination by Scott Kuney on behalf of plaintiff.

Plaintiff's exhibit nos. 114, 115, 141, 142, 143, and 148 are marked for identification.

At 2:55 p.m., Court is in recess.

At 3:15 p.m., Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Arthur Chianello, previously sworn, resumes the stand for further cross examination by Scott Kuney on behalf of plaintiff.

Plaintiff's exhibit nos. 149, 150, 151, and 155 are marked for identification.

At 3:32 p.m., redirect examination of Arthur Chianello commences by Colin Pearce on behalf of defendant.

Witness Arthur Chianello is excused

The Court orders any depositions not used during trial returned to the submitting parties.

At 3:50 p.m., Court is in recess.

At 4:46 p.m., Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Defense exhibit nos. 1038, 1039, 1040, 1042, 1045, 1046, 1061, 1067, 1101, 1102, 1107, 1109, 1112, 1115, 1125, 1123, 1095, 1116, 1117, 1121, 1124 are received, without objections, into evidence. Defense request to move exhibit no. 1127 into evidence is withdrawn. Defense exhibit no. 1106 is marked for identification and received, without objection, into evidence.

Plaintiff's exhibit nos. 114, 115, 127, 141, 142, 143, 148, 149, 150, 151, 155, 201, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 262, 263, 264, 285, 286, 287, 288, 328, 330, 333, 335, 336, 337, 338, 332, 321, 322, 323, and 324 are received, without objection, into evidence.

Plaintiff rest(s)

Defense rest(s)

Counsel to file and serve opening briefs by 1/22/14. Any reply to be filed and served by 2/5/14.

At 4:55 p.m., Court is adjourned until 02/24/2014 at 02:00 PM in Department 21.

Parties waive notice.